THE LATTER-DAY SAINTS'

MILLENNIAL STAR.

"O house of Jacob, come ye, and let us walk in the light of the Lord."—ISAIAH.

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ELDER TAYLOR'S SECOND LETTER.

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"*It is therefore proper to say that while the case at bar is called The People versus Brigham Young, its other and real title is Federal Authority versus Polygamic Theocracy.*"—*Opinion of Chief Justice J. B. McKean.*

Editor Deseret News. Dear Sir, In again calling the attention of the public to this subject, permit me to say that I do it with no spirit of vindictive malevolence, but simply with a desire to lay before the public important facts, intimately connected with our present political and religious status; that we may comprehend, in some measure, the powers and prerogatives of the government we live under, our duties and responsibilities thereto, and our own individual, moral, social and political rights.

There are events in the history of nations and communities that, as they develop themselves, call forth the serious, calm consideration, not only of politicians, journalists and historians, but of all intelligent men who are in anywise influenced, controlled or affected thereby. An eminent political scientist, living under a monarchial government, a century ago, instituted the following inquiries—

"How may the peculiar and independent operation of each individual, in the social state, most effectually be preserved? How may the security each man ought to possess, as to his life and the employment of his faculties, according to the dictates of his own understanding, be most certainly defended from invasion? How may the individuals of the human species be made to contribute to the general improvement and happiness?"

From the above ideas it would seem that it was an admitted axiom, even among monarchists, that governments were, at least, ostensibly organized for the security and protection of every individual man in the community; for the protection of his life, the protection of his property, and the employment of his faculties according to the dictates of *his own* understanding.

There has been from time immemorial a continual struggle between the governors and the governed, the first trying to usurp power, authority and dominion, and the other to resist these encroachments. Vested originally with power from the people, rulers have almost invariably made use of that power to break down, oppress and trample under foot their benefactors; and thus, by a series of aggressive acts, oligarchies and limited and unlimited monarchies have been established, and thus kings, emperors,

dictators and autocrats have fastened themselves and their dynasties upon the people, and to crown their usurpations have called upon a truculent priesthood to anoint them "kings by the grace of God," and thus sanctify their unholy acquirements. Thus the last principles of liberty have frequently been crushed out, until the people have lost their individual, social and political rights, have been manacled and bound by their political usurpers, and, like sycophants and serfs, have bowed in meek submission to the yoke of their tyrants and oppressors. The history of France, during the last twenty years, is an exemplification of this. Napoleon commenced his political career as president of a republic, had himself proclaimed emperor, and left it a vanquished, resigned empire. Santa Anna's exploits in Mexico were productive of like results.

The histories of the Babylonians, the Medes and Persians, the Grecians, the Romans and the Russians are all evidences of this fact, nor can we exempt the British, the French, the Prussians, the Austrians or other European nations. All have been intolerant and oppressive, more or less, according to governmental forms and political circumstances or necessities, by which they may have been influenced. Nor do the forms or names of governments make very much difference; there was as much disorder, anarchy, bloodshed and slavery under the republic of Greece, as under Phillip and Alexander. Nor was Rome any more happy and free under a republic than under her dictators or emperors. And again, while the Russian serfs have been liberated by the edict of an autocrat, republican America imported slaves and kept them in bondage for nearly a century. The greatest outrages and crimes were perpetrated in republican France; justice was trampled under foot, innocence destroyed, virtue despoiled, and a reign of blood and terror inaugurated, the very contemplation of which thrills the mind with horror.

Caligula and Nero, as emperors, were no more bloodthirsty, tyrannic nor oppressive than were Robespierre, Murat, and Danton, as republicans. Where integrity, virtue, and honesty have prevailed, whether under monarchial or republican rule, there have existed happiness and freedom. Where these have been lacking, disorder, anarchy, bondage and confusion have been the result. Liberty is not a name but a reality. In republican France, under Napoleon, "*Liberty, Equality, Fraternity*" was written over the entrance to every public edifice, while twenty persons could not meet together in a private house without the permission of the police, and private papers could be examined by the same authority. At the same time in monarchial England you needed no passport, your house was your castle, and your papers and property were safe. In monarchial England all men can worship God according to the dictates of their own consciences, and be justified in that right. In republican America, thousands of her citizens have time and again been robbed, murdered, pillaged, driven and exiled for their religion alone! This same England centuries ago proscribed, persecuted and exiled her citizens for the same offence, and her Puritans had to flee to Holland, and to the then wilds of America, to secure themselves from the fury of their oppressors; and yet, strange as it is, those very Puritans persecuted the Quakers and Baptists for believing in and worshipping God. Freedom, justice and liberty are not therefore the growth of republican institutions alone. Freedom and liberty are the gifts of God, and are frequently wrenched unwillingly from the hands of tyrants. Tyranny, under any guise, is a hideous monster. Dressed in the trappings of royalty, or in the plain garb of republicanism, it is still a monster. One-headed or hydra-headed, it makes no difference; republican or monarchial, it is the same horrid, repugnant, revolting monster. Tyranny is the same, whether in the dictator or the people, the general, the judge or the preacher.

The very honorable, venerable and patriotic gentlemen who framed our Declaration of Independence had many of the above facts in view, and, smarting under the lash of British tyranny, entered their vehement protest against the numerous usurpations which they have very tersely stated.

The honorable framers of the Constitution of the United States were no less alive to these matters, and while they threw safeguards around the civil power, were very anxious to protect the people in their individual, social, religious and political rights. And lest their ideas should be misunderstood, they made several amendments, directly intended to protect the rights of the people. Hence Art. IX says, "The enumeration of certain rights shall not be construed to deny or disparage others retained by the people." "Art. X. The powers not delegated to the United States, by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." And as the following bears directly on our case, I quote, "Art. II. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed." Again, "Art. I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The Constitution of the United States is unquestionably the best instrument that was ever instituted by man. The great Magna Charta of England, so much talked of, was simply and only a resistance to a *few* principles of tyranny, originating in the conquest of England by William of Normandy, and a concession to a few specified demands, reluctantly given, by King John; as were other bills of rights wrenched from other European powers.

The Constitution of the United States was formed and framed by the people of the United States from which the government issued, and that Constitution, "serving not only as an authority, but as a law of control to the government," and answers the question, so far as human institutions can —How may the peculiar and independent operations of each individual, in the social state, most effectually be preserved? and other questions above enumerated. It is the most equitable and just instrument for government ever emanating from any people. Joseph Smith, in speaking of it, says, "*It was given by inspiration of God,*" and to no other cause under God are we more justly indebted for our protection and preservation, as a people, than to this instrument. Misrepresented, maligned, proscribed, robbed, despoiled and driven by political fanatics, religious bigots, unjust and designing knaves, we have always fallen back on this great palladium of human rights, and have always found relief under its ample folds. And while knaves, bigots and fools have been clamoring for our property and blood, crying, "Crucify him, crucify him," this living instrument asks, as did Pilate, "What evil hath he done?" While the Declaration of Independence, as in living letters of fire, proclaims, "All men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are *life, liberty*, and the *pursuit of happiness;* governments are instituted among men, deriving their *just* powers from the consent of the governed." We have never had any difficulty with law-abiding citizens, with lovers of good order, with patriots and honest men. And the bigoted and fanatical attacks against this people have been instituted against private interests, constitutional guarantees, religion and the rights of man.

There have been many attempts made to overslaugh and destroy the Latter-day Saints, and yet "Mormonism" is still a problem that statesmen, politicians, moralists and religionists cannot solve. The reason may be found in this one fact, that as the "Mormons" are a law-abiding people, and are lovers and supporters of the Constitution, they cannot be condemned for violating law and breaking the Constitution of the United States. The present, as former crusades, is an ample elucidation of this fact. "Mormonism" may be opposed by bigotry, superstition, religious prejudice or judicial intolerance; not by law, equity, or the Constitution. If the Constitution and the inalienable rights of man could be disposed of, "Mormonism" might appear in other colors, and might not be so difficult a problem, for while the "Mormons" abide law and do right, it is impossible to condemn them by laws that are enacted to punish wrong-doers and violators of law.

From the above we learn that there

are certain inalienable rights possessed by man. It may be said further, that he is born into the world with them; that they are inherent; that, as he possesses the power to breathe the free air of life, and as the blood of life flows through his arteries and veins, and permeates every part of the body, so is this right born into the world with man, and he possesses it inherently; that, as the child or person breathes, sleeping or waking, and as the blood flows without the direction or control of the will of any individual, so he brings into the world with him, as an inheritance from his heavenly Father, certain inalienable rights; and that as every individual possesses the right to breathe, and to have the blood circulate, so every individual in every community in all the world inherits this inestimable, God-given right, and like the breath or blood, he carries it with him wherever he goes, and no person, no potenate, prince or president, no legislature, no government, no tribunal or court can legitimately dispossess him of this right. It is inherited from God and must not be interfered with by man. As every interference with or stoppage of the blood or breath, in the natural body, produces distress, disorder and convulsions in the system, so every interference with this inherent right of man produces convulsions in the body politic; and the unnatural attempts of kings, emperors, presidents, legislatures, judges, governors or autocrats to interfere with this sacred, eternal, God-given right, have been productive of all the oppressions, bloodshed, injustice, war, carnage and desolation, the tears, groans and misery with which the world has been cursed. As when the lungs are diseased, the blood or breath is obstructed, wasting, weakness, infirmity, convulsions, decay and death ensue in proportion to the malignity of the disease, so when the inalienable rights of man are obstructed or interfered with, in like proportion does the body politic suffer, and the nation or people that permit it encourage a gangrene, a viper, that is gnawing at the very vitals of the system, and will naturally result in anarchy, confusion, weakness, decay and dissolution. It is alleged "that all nations have the elements of destruction within themselves," and this, in fact, is the principal element of destruction that is found among all nations, for, so far as they interfere with this inherent, God-given right, they open the floodgates of error, and injustice, tyranny, oppression and corruption follow in its train, anarchy, confusion and revolt ensue, and weakness and desolation are the result. Well, then, might the framers of the Declaration of Independence proclaim that "all men are born free and equal, and possess certain inalienable rights, among which are life, liberty and the pursuit of happiness." Let these flow unobstructed, and all is right; let them be obstructed or interfered with, and all is wrong. All men have the right of life, the right of liberty, and the right to pursue happiness, and no man or set of men possess a just power to deprive them of this right. This right belongs to every individual man, is inherent in him, and is the gift of God.

Our fathers discovered that all governments derive their *just power* from the consent of the governed. The *respublica*, or public business or power of a nation, of a republic, derives its authority from the people. The very term represented implies, as Webster has it, "an agent, deputy or substitute, who supplies the place of another, or others; being invested with his or their authority." It has been well said by an eminent author, that "all delegated power is trust, and all assumed power is usurpation. A Constitution is not the act of the government, but of a people constituting a government." Assuming the above hypothesis to be right, and no man can successfully dispute it, what becomes of the action of our Federal officers? Liberty does not consist in the clanging of bells, the sound of trumpets, the beat of drums, the rearing of tall liberty poles, in parade, and pomp, and glitter, and show, nor in the declamation of demagogues nor the sanctity of courts, nor in quoting extensively from the dusty tomes of the judicial dead; but in the preserving of these rights to the people, and preserving intact as the living inheritance of man. Every man that sustains these principles is the friend of free-

dom and humanity, and every one who opposes them, whether among autocrats, monarchies or republics, is a disturber of the peace, a sower of discord, an enemy of mankind and of God.

But as this article is already sufficiently long, and as I propose to say more on this subject, I will conclude by asking a question or two.

There is said to be a hundred thousand inhabitants in this Territory. How many of them had a voice in the selection of the present Federal officers? Not one.

There is a grand jury here—out of one hundred thousand "Mormons," how many of them sat on this grand jury? Not one. It is not surprising, therefore, that with such a court and such a jury, the following opinion should be given by his honor Chief Justice J. B. McKean, and, as his honor has desired us to keep this in view, I again repeat it—

"*It is therefore proper to say, that while the case at bar is called the People versus Brigham Young, its other and real title is Federal Authority versus Polygamic Theocracy.*"

Respectfully, &c.,

JOHN TAYLOR.

ARE THE "MORMONS" SINCERE?

This is a question which those who desire to see the people composing the "Mormon" Church, and their faith, "wiped out" of existence, assume to answer in the negative, so far as the leaders are concerned. They say the rank and file are ignorant dupes and the leaders are designing hypocrites. These are harsh terms; but as we have heard them so often we are accustomed to them, and we propose to give some facts in answer to the query which heads this article.

First; we are of the "rank and file" of the "Mormon" community. We never seek to thrust our faith before the public; it is our own, and sacred to us. Of our "ignorance" the public may judge, as they would be able to judge of thousands of our co-religionists were opportunity offered to draw out the knowledge which experience and travel have given them.

Second; for over forty years the "Mormon" leaders have taught their faith, often travelling with "their lives in their hands," in poverty and suffering. Is this the course taken by men who are hypocritical and insincere? Does any man possessing the slightest knowledge of human nature, or who has ever studied history in even a remote degree, imagine that a body of men could preach, teach and defend a series of principles for forty years, without change, argument or position, and not believe them?

Third; several times have these men and the whole community been robbed of their property, and compelled to flee from one State to another before ruthless and savage mobs, and this because of their religion. Do men and women endure such cruelties and barbarous treatment for hypocrisy? They were driven twelve hundred miles across dreary and comparatively unknown deserts invested by savage aborigines, and in the heart of the continent built up a colony under the shadows of the Wasatch mountains, amid almost incredible sufferings, poverty and distress. And foremost among the sufferers, as the first to face dangers and difficulties, were these same "leaders." Is this the course that hypocrites pursue? Hypocrisy would start back appalled from the dangers which the pioneers of the Rocky Mountains endured. Had they come here in Pullman palace cars, to find a fertile valley, with mountains yielding vast treasures in mineral wealth, cities and towns ready built, the treasuries of which they had some hopes of manipulating, there might have been grounds for the charge of hypocrisy. Had they even been broken-down politicians sent to this far-off region by the kind mercies of the administration at Washington, and had they found here a prosperous community to be used for political power and prospective congressional reputation,

hypocrisy might have been credited to them with some show of reason, if they had commenced a "virtuous" crusade against the people and their faith. But, instead, they found here a forbidding solitude enough to startle Echo and drive her far away. They had to mould the adobes from the earth, haul the timber from then almost inaccessible mountains, and fashion from old wagon tiers the iron material necessary for buildings, before they had houses to reside in. They had to face the terrors of a severe winter in these fastnesses, with the thin covering of a tent or wagon cover alone to shelter weak women, feeble men and tender children from death by exposure, and this on a scanty ration of food scarcely enough to keep spirit and body together. They had to bring the seeds of trees, plants and vegetables from afar, break up an arid soil and direct, with infinite labor, streams of water upon it for fertilizing purposes, and then to wait and watch the result in the uncertainties of an unknown climate, many compelled to dig and use the wild roots of the benches or eat thistle tops, and many having to wade through cold rain, sleet and snow barefoot and thinly clad. And yet there are men with the ignorance or assurance to charge those who thus suffered and endured for their faith with hypocrisy!

With the correctness or absurdity of that faith the whole world has nothing to do. The faith is theirs, honestly believed in, sincerely held, and to the great Searcher of hearts alone are they responsible for it. An entire world may hold it to be grossly absurd, but that does not prove it so; and were it as incorrect and absurd as it is called, so long as it does not infringe upon the constitutional rights of any living being it is not the right of any mortal to interfere with it. This is simply the enunciation of a democratic-republican principle, which decrees unrestricted religious liberty to all, so long as religion does not, in its exercise, press upon the rights of those who do not believe it.

Those most active in the crusade against the "Mormons," hold that the progress of the age is against "Mormonism." If so, let it march on and accomplish its destiny; but no one outside the Utah "ring" imagines the present incumbents of Federal offices here are the embodiments of the progress of the age. That the "Mormons" are sincere, a thousand tangible evidences give proof; and the present crusade will but strengthen them by making them more united, and creating a strong sympathy in their favor throughout the world. —*Salt Lake Herald.*

THE MORMON WAR.

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The prosecution of the Mormons seems to be conducted in earnest. The prosecution of course proceeds not upon the assumption that polygamy, or any other social practice of Mormondom, is morally wrong or scandalous to civilization, but simply upon the fact that it is contrary to the statute in such case made and provided. That is the lawyer's province. But the legislator's is wider. To justify the prosecution of so large and prosperous a community as that of Utah, which is admitted to be orderly, industrious, and in all other respects but that of its social organization inoffensive, so as to save the prosecution from the charge of being a persecution, it must either be shown that the obnoxious practices of the Mormons are injurious to public order, or else it must be maintained that they are moral abominations which it is our duty to extinguish. It would be difficult to maintain the first of these theses, and the Mormon war, if we are to have one, must be waged upon the second. This will make it a crusade. We do not say that our government ought not under any circumstances to wage a religious war, though we may safely say that the present administration of our government furnishes very questionable auspices for a religious

war to be waged under. But we ought to be certified, as assuredly the Bible does not certify us in the case of polygamy, that the thing we attack is an accursed thing. It is not a question of the inferiority of polygamy to monogamy on historical grounds or on grounds of abstract expediency. That is a question for the community affected by polygamy to settle for itself. If Congress interferes to put down polygamy, it can only logically be because polygamy is morally intolerable to the sensitive souls of Congressmen. The only case at all parallel in our history was the abolition of slavery. And the abolition of slavery was ostensibly effected as a war measure in the first instance, and afterwards confirmed as a matter of public policy. It was not because slavery was the sum of all villainies, but because it was a support to the confederacy that President Lincoln issued his proclamations, and because it was a political nuisance that Congress and the States afterwards incorporated those proclamations in the Constitution. No such case can be made out against polygamy. A war against it would be purely a religious war. Such a war, even if it were otherwise justifiable, ought to be deprecated upon the ground that it is useless. As we have shown heretofore, Mormonism owes its survival to its isolation. We have stood it without much detriment to our peace of mind for twenty-five years. Can we not stand it a little longer? Is it wise to anticipate its inevitable fate by an onslaught which will now cost much blood and much treasure, and which, unless Mormonism is much more firmly rooted in the nature of things than anybody out of Utah imagines it to be, the lapse of another decade will dispense us from making.—*New York Herald.*

HOW IS IT?

A gentleman of the legal profession made a statement, in the Alderman's Court, to the effect that questions would shortly arise that threatened to overwhelm the Corporation of this city. We do not know whether the gentleman alluded to is inside the "ring" or not; we hope, for his own sake, that he is not. There are numbers, however, who might not be considered inside of the circle, who are considerably posted with regard to the intentions and doings of that nefarious clique.

The public are well aware that some parties would be exceedingly pleased to have the municipality overwhelmed, and that the efforts of certain persons have been, for some time, inclined in that direction.

In view of the number of individuals springing up here and there in the city, carrying on business in defiance of the city ordinances, refusing to pay license, &c., people begin to ask the question whether they will be allowed the enjoyment of any civil rights. We entertain a similar opinion to that expressed by Mr. De Wolf, in the Alderman's Court, that "the sooner this matter is settled the better for all parties concerned."

There is a question involved in this matter of which we should be pleased to have an immediate solution: If, under the boasted free flag of America, municipal corporations are to be ignored by any one who chooses to do so, and such law defiers are sustained by high officials, where is the country drifting to? But it would not perhaps be just to consider the country responsible for the actions of a few of her most unprincipled demagogues. Yet when the country becomes acquainted with the unjust character of those placed to administer the laws, the official decapitation and displacement of such maladministrators should at once follow.—*Deseret News.*

"Calumny," says Archbishop Leighton, "would soon starve and die of itself if nobody took it in and gave it lodging." "There would not," says Bishop Hall, "be so many open mouths if there were not so many open ears."

THE LATTER-DAY SAINTS' MILLENNIAL STAR.

TUESDAY, NOVEMBER 21, 1871.

ARREST OF PRESIDENT WELLS.

THE curtain has arisen on another act of the drama of religious persecution at present being enacted in Utah. On the afternoon of Saturday, October 28, President D. H. Wells and other brethren were arrested by the United States Marshal, under an indictment found several weeks previously by the grand jury. This indictment charges Daniel H. Wells and Hosea Stout, among others, with having on the 15th of November, 1857, killed one Richard Yates at the mouth of Echo Cañon, in Summit County. There is little doubt but that Yates was killed, but no sane man in Utah, to-day, at all acquainted with the facts or the men, believes for a moment that either Daniel H. Wells or Hosea Stout had anything to do with the killing of Yates. "But," to use the words of the Salt Lake *Herald*, "the infamous proceedings adopted to carry out effectively the crusade against the 'Mormons' has another exemplification in these arrests, the determination of the public prosecutor to have, if not convictions, at least public odium cast upon the leading men of the community being apparent at every step taken. Mayor Wells was aware that the arrest would be made before it was, and met the Marshal with that understanding. Knowing himself innocent, he was determined to meet any such charge that might be brought against him."

President Wells and Elder Stout having been arrested, were taken to the Third District Court room, the court being then in session, and by their counsel made application to be liberated on bail. As it was then late, about four or half past four o'clock, the court said it would be impossible to entertain the question then. Counsel asked that a time be fixed for the hearing of the application, and ten o'clock on the Monday morning following was fixed for that purpose. The arrested parties were taken by the Marshal to Camp Douglas, and there held in confinement.

On Monday, October 30, there was a large attendance at the court-room to hear the discussion on the above question, the accused parties being also present, having been brought from their military prison for that purpose. Major Hempstead and Hon. Thomas Fitch appeared on behalf of the defendants, the district attorney and his assistant on behalf of the prosecution.

Mr. Fitch stated that the case would be argued on an application to the court for a writ of *habeas corpus* to bring the prisoners before the court to be held to bail.

Major Hempstead opened the discussion, and in a lengthy and able manner contended that, though the custom was to refuse bail in capital cases, yet the highest court in England—the Court of King's Bench, has held that it had that right, and in capital cases in this country the same rule was admissible and has been sometimes followed in the discretion of the courts, except in

cases where the evidence of guilt was conclusive and the presumption strong. High common law authorities were cited, and statutory enactments quoted by Mr. Hempstead in favor of his position.

The prosecuting attorney and his assistant replied to the argument of the defendants' counsel, and seemed to depend chiefly on the Territorial statutes for its rebuttal.

Mr. Fitch was about to commence the closing argument in favor of granting the bail when the court said—

"Without intending to have it regarded as a precedent in any other case, I will hold that I have power to issue a *habeas corpus* and bring these prisoners before me, and as they have come in, being brought here by an officer during the progress of the argument, I will regard them as being here on the return of a writ of *habeas corpus*. I will therefore say further, that although I was well aware, before this argument, that in Great Britain and in the United States a prisoner charged by indictment with a capital offence is almost never admitted to bail, still I was willing to be convinced that in this case it would be right to depart from the almost universal rule. Not only willing but anxious to be so convinced; nay, more, I have tried to convince myself by arguments in addition to those of counsel that it would be right and expedient to do so in this case.

"In the case of the people against Daniel H. Wells, his counsel properly say that the defendant is the Mayor of the city, and is at the head of the police force. Camp Douglas, the place where prisoners awaiting trial in this court are usually detained, is some miles distant from the City Hall, and from the residence of the Mayor. In that camp it would be practically impossible for the Mayor to attend to any of the duties of his office, and therefore he could not be held responsible for the quietude and good order of the city. I will therefore admit him to bail. In the case of the people against Stout I will further consider the application and the arguments, and will reach and announce my conclusions hereafter."

Mr. Maxwell said the prosecution would like to be heard on the question of the amount of bail, and he would fix it at $500,000.

The Judge said, "No, the defendant will give bail in the sum of $50,000."

Mr. Baskin asked if it should be found that the court had not power to grant bail in capital offences, whether the bond taken would be valid and binding.

The Judge said that he would not allow his decision in this case to be considered or quoted as a precedent.

President Wells was then admitted to bail in the sum of $50,000, Elders William Jennings and Horace S. Eldredge being his bondsmen.

The day following Judge McKean, in reference to the admission of Hosea Stout to bail, decided against the application of counsel, drawing a discrimination between his case and that of Mayor Wells, on account of the official public duties of the latter. The court then announced that it would take a recess until Monday, November 13th, on which day the grand jury also were to reconvene.

OBITUARY.—Again we are called upon to chronicle the death of another of God's servants, whose earthly career has been shortened by the hand of death while laboring in the cause of redemption.

Elder Caleb W. Haws, like Elder Parry, deceased, was smitten with small-

pox, and after a short illness died yesterday morning at 3.15 o'clock, at the residence of brother Seth Lawton, Barugh Bridge, near Barnsley, Yorkshire.

On the 22nd of May last brother Haws, in company with President Carrington and other brethren who were called on missions to Europe, arrived in Liverpool and was appointed to assist Elder Geo. P. Ward in the Manchester Conference, where he labored faithfully and well until the departure of Elder Thomas W. Woolley, when he was appointed to succeed him in the Presidency of the Sheffield Conference, in which capacity he continued his labors of love until called by our heavenly Father to a holier abode, where his sphere of usefulness will be enlarged, and where he can labor more efficiently to hasten the happy future of the righteous and the permanent establishment of the kingdom of God.

During the sickness of Elder Haws, he was waited upon by loving friends who paid him every attention, and who, with us, deeply mourn his loss. While we condole with the family and friends of our deceased brother we would say, "He is not dead," he lives, and will still labor for the cause of Zion, the noble cause of salvation and redemption; and we look forward with joy and with glorious anticipation to the day "when death shall be no more," and when the Saints shall reap the bounteous harvest of lives devoted to the cause of God, the salvation of his children.

NEW YORK CONFERENCE.—A Conference of the Saints in New York city and surrounding districts was held in the Americus Hall, 153, Grand Street, Williamsburg, on Sunday, Oct. 22, 1871, Elder H. G. Bywater, presiding. During the morning services a number of the brethren occupied the time with short, yet pointed and spirited addresses and testimonies. In the afternoon a statistical report was read, the authorities of the Church in Zion and in the New York Conference were unanimously sustained by the votes of the assembled Saints, and the meeting was addressed by Elders Ed. Adkins, C. Cook and W. C. Staines. The evening meeting was occupied by Elders William Searle, H. G. Bywater and others.

THE LATEST SENSATION.

During September President Brigham Young started on a trip to visit some of the southern settlements, as has been his custom at different times. While travelling southward he learned that certain charges were to be preferred against him here before the grand jury, and immediately turned back and came to this city, at considerable personal inconvenience, to meet any or all such charges. As the public well know, an indictment was found and a warrant issued for his arrest, which was duly honored. He appeared in court, declared himself not guilty, and gave the bonds demanded for appearance for trial. Subsequently he asked the United States marshal two or three times if that functionary had any other warrant against him, and was informed that he had not. The court had stated to President Young's counsel that ample time would be given to prepare for the trial, and further intimated that it would soon take a recess. President Young then inquired of his counsel if there was any legal obstacle or impediment to prevent his taking the trip projected some time before, and was informed that there was not. He accordingly started, and his departure has been eagerly seized by the small sensation-mongers as a foundation for the usual style of ima-

ginatien and absurd speculations. So on his retnrn, in September, when he paid a visit to Tooele for the purpose of holding meetings, it was instantly telegraphed east that he had fled to avoid arrest.

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This stale cry of Brigham Young having fled, is not only an insult to him and his talented counsel, but a direct imputatiou on the sagacity of Judge McKean and the prosecuting attorney, those very sagacious and shrewd men. Does anybody think the honorable court, with its argus eyes, was not aware that ex-Governor Young was going south? The court knew his health was feeble, and was probably aware that months ago he contemplated spending the severe part of the winter season south of the "run of the basin," as he did last winter. And on these considerations the sensational rumors and despatches turn out to have as much foundation as their predecessors of a few weeks ago, which announced that blood was flowing in the streets of Salt Lake, and that all the Federal officials and Gentiles had fled!—*Salt Lake Herald.*

CORRESPONDENCE.

AMERICA.

Williamsburg, Oct. 31, 1871.

Elder Geo. Reynolds.

Dear Brother—I am much pleased to be able to inform you that the majority of the Saints in Williamsburg have been humble enough to renew their covenants before their God by re-baptism, and, I believe, the remainder will ere long follow this example. Those who have complied with the call feel much better than before. I can truly say that the Saints are doing exceedingly well in this portion of the Lord's vineyard. I have some good, faithful brethren to labor with me; I do not ask for better men.

We held our Conference here on the 22nd inst., and our hall was filled at the afternoon and evening meetings with Saints and strangers, who paid great attention. We had Elder W. C. Staines with us in the afternoon, and he delivered a very interesting discourse on the condition of affairs in Utah; he also gave us some good fatherly advice.

We held a concert on the 23rd inst., and had a splendid time. Many strangers were present, and all enjoyed themselves.

There is great excitement here about the arrest of President Young and other Elders, but the Saints do not feel much excited about it, because they know that the Lord will rule and overrule all things for the good of his faithful servants.

Praying God to bless you with every needed blessing, I remain your brother in the kingdom of our God and his Christ,

HENRY G. BYWATER.

New York, November 2, 1871.

Elder Geo. Reynolds.

Dear Brother—We left Queenstown about noon Oct. 19. The sea was rough and continued so for several days. We shipped many a heavy sea, and the water occasionally poured down amongst the passengers. At such times there was a pleasing contrast between the Saints and the other emigrants on board—whilst others were restlessly manifesting their fears, with us all was serene and calm.

We encountered a detestable head wind during the greater portion of our voyage, which caused the vessel to labor heavily, and resulted in considerable sea-sickness amongst the passengers.

The first Sunday we were on board we did not hold any meetings, owing to the unfavorable state of the weather, but on Oct. 29 we assembled at 2.30 and 6 p.m. Many of the sailors and passengers came and listened to us.

We arrived at New York last evening, and landed this morning. We start west at noon to-morrow. All the Saints are in good health, except one Danish sister, who was somewhat sick when she embarked at Liverpool, but she is mending fast.

We have been abundantly blessed by the Lord on our voyage, and have been treated with great kindness by the captain and officers of the *Nevada*.

Elders John Sharp and W. C. Staines are in New York, they report all well in Zion.

All join in kind love to the brethren in the Office. Yours faithfully,

GEO. H. PETERSON.

THE HAWKINS CASE.

The verdict in the Hawkins case is now public property. With the merits or demerits of the quarrel between husband and wife we have nothing to do. As is generally the case in bad family quarrels, there may be faults on both sides, but that is no concern of the public's. It is a private matter, and like all such matters, the less it is meddled with by those who have no proper business with it, the better. But the proceedings of the trial are public, and the public is interested in it, hence we make a few remarks upon it.

The defendant was charged with adultery under a Territorial statute, and the verdict was rendered accordingly. The verdict was eminently an unrighteous one. It was not in accordance with the letter of the law, as understood by the Legislature which made the law and by the community for whom it was made. It was a verdict rendered not in accordance with the interpretation of the law received by those to whom the law applies, but in accordance with the interpretation, if received at all, received by communities at a distance and to whom it has no application. It was a verdict rendered by a jury that does not represent the community, but one generally believed to be chosen with the special view of securing verdicts of guilty in a certain class of cases. All these things are perfectly well known to the Judge, the jury, all the officers of the court, and every person of ordinary intelligence in the Territory. Hence we maintain that Mr. Hawkins was not tried by a jury of his peers, but by a jury of his enemies, and that really the verdict was in accordance neither with the spirit, the intent nor the letter of the law. Therefore, in our opinion, the trial was a farce, the verdict an injustice, a dangerous precedent, and a disgrace to American jurisprudence, and the whole proceedings, aside from the defence, we believe were only a portion of a prearranged plan for the purpose of producing a certain political effect.

Some people may, but we do not, consider that it is a good policy to make courts simply courts of law and not courts of justice in any sense of the word, and that law twisted and wrested to an interpretation entirely foreign to that understood and received and acted upon by the whole community by and for whom it was enacted. We must enter our protest against any such mockery of justice, as it manifestly is, so long as the power and privilege of protest are left to us.—*Deseret News.*

STANDING BY ITS FRIENDS.

We learn from the Salt Lake——— which quotes them with unction, that various radical editors are giving us much more credit than we deserve for standing by our friends in Utah. These are such rare compliments, that we regret the inattention which, from a sort of chronic habit of not reading such sheets as the Davenport *Gazette*, Laramie *Sentinel*, &c., &c., has led us to overlook them. This paper always stands by its friends without asking the consent of the wandering itinerants who drift about the country in occupations which would be more respectable if they would turn their attention to rag-picking.

But the *Herald*, whilst standing by

its friends, takes jealous care to stand by its convictions. It has less fear of public clamor, if this be possible, than it has contempt for those who delight to villify and slander it. It has fallen to our lot to know the Mormon people, and much of their institutions. We have known them in their homes and life, and have made their peculiar institutions something of a study. We have watched their work, and have admired the monuments of the enlightened skill and industry which converted a sagebrush waste into a vast, beautiful and productive region. We have also made ourselves acquainted with the purposes and aims of the utterly corrupt scamps who seek, under cover of efforts to reform a people who are their betters in every element of human virtue, to ride into political notoriety and power upon their ruin. And, with this kind of knowledge, we have decided opinions upon the Mormon question, which are our own, and which we shall at all times express; nor can any man or set of men deter us, in this yet free land, from speaking our sentiments upon that and upon all other public questions, as we actually hold them.—*Omaha Herald.*

PERIODICAL MORALITY.

Lord Macauley, in his review of Moore's life of Byron, speaks with withering sarcasm of the periodical attacks of morality to which the British people were subject in that day, by way of illustrating the rage into which they lashed themselves over the gallantries of the wayward bard. He depicts how, at the very moment they were persecuting Byron for his illicit loves and peccadilloes, the foremost men of England, including Lord Nelson, were notorious rakes and libertines, compared to whom Byron was a very saint of virtue.

What was true of England at that day, is equally true of our own country at this day. We, too, have our periodical attacks of morality, and, as they occurred in England, they occur here, once in about seven years. They are not visited upon individuals, because there is a peculiar sect and a peculiar institution which furnishes a standing centre, around which our surcharged virtue habitually relieves itself, like the volcanoes, with explosive eruptions. This peculiar sect is the Mormon, and this peculiar institution is polygamy.

For the last twenty years Utah has been subjected to attacks from these periodical outbursts of the national morality. It is now suffering from one which is remarkable for the instruments by which it is assailed.

Although Washington itself is a notorious sink of licentiousness, degradation, and sin, and although scandal surrounds the name of every third senator and congressman with the most abandoned practices and lives, sent out from this modern Sodom into a remote Territory we find the late Governor Shaffer, and Maxwell, and kindred spirits, to reform religious fanatics who believe in the plurality wife system. It is conceded that, in all other respects, these people are moral, law-abiding, and industrious. They are the only people who have conquered the greatest evils that have afflicted civilised society all along the dead ages, and which yet defy all other attempts at reform. No houses of prostitution, no women of the town, were permitted to abide in Utah until the advent of the Washington reformers. Polygamy did not do this, because this system is practised by comparatively few in Utah. The reform was wrought by a religious system under which adultery is counted the highest of human offences. No gambling houses were known in Utah until the advent of the political mercenaries who now prate and shout over the terrible institution of polygamy.

The spectacle presented by the spasm of national virtue which now shrieks its indignation through the beautiful pinks of morality who are kicking up such a dust in Salt Lake is one of the most ridiculous exhibitions of our time.—*Omaha Herald.*

EXCITEMENT IN UTAH.

The excited state of public feeling at Salt Lake and throughout Utah is the natural consequence of the conviction of Thomas Hawkins for an alleged offence of which he is as guiltless as an unborn babe. All fair-minded and well-informed beholders from a distance, of the events that have transpired at Salt Lake City of late, are probably prepared to hear at any moment of violent resistance to the authority that is backing up the unrighteous verdict. If a collision shall take place between the Mormons and the federal troops, it will be, no doubt, just what McKean and his coadjutors desire. It is doubtful if, should such a conflict ensue, the military would have the active co-operation or the moral sympathy of the Gentile population of Utah. Hawkins is guilty of adultery, no doubt, but he was not tried for the commission of this offence, as any law book or any State statute defines it. He was convicted at judicial dictation, and under a Utah statute passed by a Morman legislature. The veriest tyro in law—any one of the five hundred shysters we have in California even—knows that in construing a legislative enactment, care must be taken to ascertain the intent of the legislature that passed it. It is as easy to get at the intent of the body which adopted the section under which judge McKean secured his first victim as it is to see the sun at noon in an unclouded sky. If that intention was consistent with the construction McKean put upon the section, the law, although passed by Mormons for the benefit of Mormons, might be appropriately entitled "An act to obliterate the Mormon faith." The plain intention of the Territorial statute referred to was to punish adultery as understood and defined by the polygamists themselves. A Mormon, according to his belief, cannot commit adultery in visiting any number of women to whom he has been married under the forms of his own church.

The vice of polygamy, the influence of the Mormon church, the crimes of Mormon leaders, have nothing to do with this controversy. If the polygamists are to be arraigned for alleged offences, they should be tried fairly, and discharged unless convicted of violating some particular statute particularly set forth. The prosecution in the Hawkins case was based upon a Mormon statute. The defendant was convicted upon testimony showing that he had cohabited with one who is regarded by the authors of that very statute as his lawful wife. His conduct is justified by those who passed the statute, and therefore must be justified by every court which tries him under that statute. The alleged offence utterly lacks, morever, that intent which is the essence of every crime.—*Sac. Reporter*

GRACE GREENWOOD ON THE MORMONS.

In the Old Tabernacle, we yesterday attended a mass meeting, called by the Mayor, to raise money for the relief of the Chicago sufferers. Here we saw Brigham Young, and I must confess to a great surprise. I had heard many descriptions of his personal appearance, but I could not recognize the picture so often and elaborately painted. I did not see a common, gross-looking person, with rude manners, and a sinister, sensual countenance, but a well-dressed, dignified old gentleman, with a pale, mild face, a clear grey eye, a pleasant smile, a courteous address, and withal a patriarchal, paternal air, which, of course, he comes rightly by. In short, I could see in his face or manner none of the profligate propensities, and the dark crimes charged against this mysterious, masterly, many-sided and many-wived man. The majority of the citizens of Salt Lake present on this occasion were Mormons, some of them the very polygamists arraigned

for trial, and it was a strange thing to see these men, standing at bay, with "the people of the United States" against them, giving generously to their enemies. It either shows that they have underlying their fanatical faith, and their Mohammedan practices, a better religion of humanity, or that they understand the wisdom of a return of good for evil just at this time. It is either rare Christian charity or masterly worldly policy. Or, perhaps, it is about half-and-half. Human nature is a good deal mixed out here. But I do not suppose it will matter to the people of dear, desolate Chicago what the motive was that prompted the generous offerings from this fair city among the mountains. The hands stretched out in help, whether polygamic or monogamic, are to them the hands of friends and brothers. Certain it is that the "Saints" seemed to give gladly and promptly according to their means. President Young gave in his thousand and the Elders their five hundred each as quietly as the poor brethren and sisters their modest tribute of fractional currency. It is thought that Utah will raise at least $20,000.

There is to me, I must acknowledge, in this prompt and liberal action of the Mormon people, something strange and touching. It is Hagar ministering to Sarah; it is Ishmael giving a brotherly lift to Isaac.—*G. G. in N. Y. Times*, Oct. 24.

UTAH NEWS.

The following are from the *Deseret News* to Oct. 31:—

One of the Bear Lake monsters had been again seen, this time by brother Joseph Alley.

On the night of Friday, Oct. 27, a man was shot and killed by Philip Jones, while in the act of stealing and running off the latter's horses from the mouth of Big Cottonwood.

The following are from the *Salt Lake Herald* to Nov. 1:—

President Grant has appointed Mr. Geo. C. Bates, a Chicago lawyer, U.S. Prosecuting Attorney for Utah.

Judge Strickland had admitted Elder Aaron Johnson to bail in the sum of $10,000. The case is continued until January next.

Bro. Richard Bently, of St. George, had shown the editor of the *Herald* some raisins cured by himself which excelled any that had been imported into Utah territory.

Latest by telegraph to the New York journals:—

Hon. W. H. Hooper was in Washington.

There was a heavy snow storm in Salt Lake City on the night of November 4

Hon. Thomas Fitch left Salt Lake City on the 4th instant for the East, to fulfil an engagement to lecture.

President Young arrived at Beaver Oct. 31, and after a rest of a few hours continued his journey to St. George.

On Nov. 3, the Salt Lake City police made a descent upon several drinking saloons for selling liquor without having paid the municipal license. The places were closed up and the proprietors were summoned to appear the next day before Alderman Clinton.

An Albany lady, who seems to have forgotten all that she ever knew of geography and history, asked a friend who was going to Utah to bring her a couple of Mormons for her aquarium.